

From: [Smith, Peterj](#)
To: [Arling, Michelle](#); [Berwald, Derek](#); [Christensen, Carol](#); [Davis, Kathy](#); [Ellenberger, Jay](#); [Evans, Elizabeth](#); [Evans, Jeff](#); [Garrison, Scott](#); [Guillaran, Yu-Ting](#); [Hofmann, Angela](#); [Huskey, Angela](#); [Keaney, Kevin](#); [Kiely, Timothy](#); [Maguire, Kelly](#); [Pont, Richard](#); [Thundiyil, Karen](#); [Wingate, Diedra](#); [Wyatt, TJ](#)
Cc: [Jordan, William](#); [Frazer, Brian](#)
Subject: FROM OMB: EO 12866 Review: Ag Worker Protection Standard Revisions NPRM (RIN 2070-AJ22) - Additional, minor comments on NPRM and EA
Date: Thursday, January 16, 2014 12:07:41 PM
Attachments: [Interagency Comments under EO12866 RIN 2070-AJ22 v3.docx](#)
Importance: High

All,

OMB has provided a few additional comments concerning the NPRM and EA that sent in from another agency after considering our follow-up responses. These appear to be pretty minor, although the commenting agency asserts that we have provided little rationale for a 2-day grace period, and asks that we solicit comment on retaining the existing grace period, and on the relative impacts on employers of a 2-day grace period instead of a 3- or 4-day grace period. Since we're driving to wrap the review next week, we need to turn our responses around on this pretty quickly. I will set up a call for today or tomorrow (depending on availability) to review and discuss responses.

Peter Smith
(202) 564-0262

From: Jones, Danielle [mailto:Danielle_Y_Jones@omb.eop.gov]
Sent: Thursday, January 16, 2014 11:56 AM
To: Smith, Peterj
Cc: Hofmann, Angela; Davis, Kathy; Keaney, Kevin; Garrison, Scott; Thundiyil, Karen
Subject: RE: EO 12866 Review: Ag Worker Protection Standard Revisions NPRM (RIN 2070-AJ22) - Revised FR document

Hello Peter,

As promised from our discussion this morning, attached are comments based on EPA's latest responses. These comments provide additional language from commenters regarding the rule and EA.

Please let me know if you have any questions.

Best,
Danielle

From: Jones, Danielle
Sent: Wednesday, January 15, 2014 12:09 PM
To: Smith, Peterj
Cc: Hofmann, Angela; Davis, Kathy; Keaney, Kevin; Garrison, Scott; Thundiyil, Karen
Subject: RE: EO 12866 Review: Ag Worker Protection Standard Revisions NPRM (RIN 2070-AJ22) - Revised FR document

Hello Peter,

Thank you for sending the copy of the NPRM. I have shared this with interested interagency reviewers and they have until Friday to provide any additional feedback. As for the last round of comments, the only request was from USDA to see the redline version to see the modifications. Please thank the program staff for inserting comment bubbles with the comment number. This will be very helpful through our final review.

Could the program share with OIRA the roll out materials for the rule once those have been developed? It is helpful to have a copy, especially if there are questions from WH Comms.

Thanks so much!

Best,
Danielle

From: Smith, Peterj [<mailto:Smith.Peterj@epa.gov>]
Sent: Wednesday, January 15, 2014 11:33 AM
To: Jones, Danielle
Cc: Hofmann, Angela; Davis, Kathy; Keaney, Kevin; Garrison, Scott; Thundiyil, Karen
Subject: EO 12866 Review: Ag Worker Protection Standard Revisions NPRM (RIN 2070-AJ22) - Revised FR document

EO 12866 Review Day 83

Hi Danielle,

I'm pleased to provide a markup and clean copy of the revised notice of proposed rulemaking for AgWPS. As we discussed yesterday, EPA is still working on the revised economic analysis and we may need to further revise the NPRM to incorporate any changes that conform with revisions to the EA. Please let me know if you have any questions. Thanks!

Peter Smith
Regulatory Coordination Staff (MC 7101M)
Office of Chemical Safety and Pollution Prevention
US Environmental Protection Agency
Washington, DC 20460

(202) 564-0262 - phone
(202) 564-0263 - fax

